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BY ECF

The Honorable Ronald B. Leighton
United States Courthouse
1717 Pacific Avenue
Tacoma, WA 98402-3200

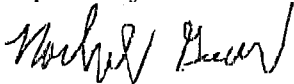
Re: *Denton v. Department Stores National Bank*, No. 10-cv-05830

Dear Judge Leighton:

Plaintiffs and the proposed class submit this letter in response to Department Stores National Bank's ("DSNB") June 9, 2011 letter (Dkt. 28).

Thomas v. Bank of America Corp., a Georgia state-court case, provides a useful contrast to the above-referenced case. In *Thomas*, the plaintiffs sought to regulate credit protection as an insurance product, and limit the rates charged based on Georgia state insurance law and regulations. Further, *Thomas*' language rejecting consideration of the preemption standards set forth and clarified in Dodd-Frank is in conflict with recent federal authority. *See, e.g., Baptista v. JP Morgan Chase Bank, N.A.*, 2011 WL 1772657, at *1-2 (11th Cir. May 11, 2011) ("under the Dodd-Frank Act, the proper preemption test asks whether there is a significant conflict between the state and federal statutes -- that is, the test for conflict preemption").

Respectfully submitted,



Rachel Geman

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